

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
DEC 3 1996
BY DAVID J. MALAND, CLERK
DEPUTY *Qpk*

UNITED STATES OF AMERICA *

VS. *

NO. 6:96CR 59

JOSEPH JAMES FALCETTA, JR. *

DAVID CARL AKINS *

TAURUS KARTIK *

ROBERT ALLEN MELANSON *

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

COUNT 1

Violation: 18 U.S.C. §§ 2119
and 2 (Armed Robbery of a Motor
Vehicle and Aiding and
Abetting)

Penalty: 18 U.S.C. § 2119(2) A
fine of not more than \$250,000
or imprisonment for not more
than twenty-five (25) years, or
both, a period of supervised
release of not more than five
(5) years.

Special Assessment of \$100.00.

On or about November 7, 1996, in Smith County, Texas in the
Eastern District of Texas, JOSEPH JAMES FALCETTA, JR., DAVID CARL
AKINS, TAURUS KARTIK, and ROBERT ALLEN MELANSON, Defendants herein,
aided and abetted by one another and Stephen Randall Henry, an
unindicted co-conspirator did then and there with the intent to
cause death and serious bodily harm, unlawfully take a motor

vehicle, namely: a 1994 Van Hool bus, that had been transported, shipped, and received in interstate and foreign commerce, from the person and presence of Michael B. Gibbs by force, violence and intimidation, said conduct resulting in serious bodily injury to Michael B. Gibbs, in violation of Title 18, United States Code, Sections 2119 and 2.

THE UNITED STATES GRAND JURY FURTHER CHARGES:

COUNT 2

Violation: 18 U.S.C. §§
924(c)(1) and 2.
(Possession of a Firearm During
A Crime of Violence and Aiding
and Abetting)

Penalty: 18 U.S.C. § 924(c)(1)
A mandatory five (5) year
imprisonment; a fine of not
more than \$250,000, or both, a
term of supervised release of
not more than three (3) years.
This sentence shall be in
addition to the punishment
provided for by Count 1 of the
Indictment.

Special Assessment: \$100.00.

On or about November 7, 1996, in Smith County, Texas in the Eastern District of Texas, JOSEPH JAMES FALCETTA, JR., DAVID CARL AKINS, TAURUS KARTIK, and ROBERT ALLEN MELANSON, Defendants herein, aided and abetted by one another and Stephen Randall Henry, an unindicted co-conspirator, did then and there knowingly use and carry a firearm, to wit: a .38 Special Herbert-Schmidt Sierra revolver bearing serial number 12531, during and in relation to the commission of a crime of violence, namely: robbery of a motor vehicle, in violation of Title 18, United States Code, Section 2119 as alleged in Count 1 of this Indictment, and for which the Defendants may be prosecuted in a court of the United States in violation of Title 18, United States Code, Sections 924(c)(1) and 2.

THE UNITED STATES GRAND JURY FURTHER CHARGES:

COUNT 3

Violation: 18 U.S.C. §§
924(c)(1) and 2.
(Possession of a Short-Barreled
Shotgun During a Crime of
Violence and Aiding and
Abetting.)

Penalty: 18 U.S.C. § 924(c)(1)
A mandatory ten (10) year
imprisonment; a fine of not
more than \$250,000, or both, a
term of supervised release of
not more than three (3) years.
This sentence shall be in
addition to the punishment
provided for by Count 1 of the
Indictment.

Special Assessment: \$100.00.

On or about November 7, 1996, in Smith County, Texas in the Eastern District of Texas, JOSEPH JAMES FALCETTA, JR., DAVID CARL AKINS, TAURUS KARTIK, and ROBERT ALLEN MELANSON, Defendants herein, aided and abetted by one another and Stephen Randall Henry, an unindicted co-conspirator, did then and there knowingly use and carry a short-barreled shotgun more specifically described as a 12 gauge Western Field Model M550A pump action shotgun bearing serial number 285423 with a barrel length of less than 18 inches, during and in relation to the commission of a crime of violence, namely: robbery of a motor vehicle, in violation of Title 18, United States Code, Section 2119 as alleged in Count 1 of this Indictment, and for which the Defendants may be prosecuted in a court of the United States in violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT 4

Violation: 18 U.S.C. §§
924(c)(1) and 2.
(Possession of a Short-Barreled
Shotgun During a Crime of
Violence and Aiding and
Abetting.)

Penalty: 18 U.S.C. § 924(c)(1)
A mandatory ten (10) year
imprisonment; a fine of not
more than \$250,000, or both, a
term of supervised release of
not more than three (3) years.
This sentence shall be in
addition to the punishment
provided for by Count 1 of the
Indictment.

Special Assessment: \$100.00.


On or about November 7, 1996, in Smith County, Texas in the Eastern District of Texas, JOSEPH JAMES FALCETTA, JR., DAVID CARL AKINS, TAURUS KARTIK, and ROBERT ALLEN MELANSON, Defendants herein, aided and abetted by one another and Stephen Randall Henry, an unindicted co-conspirator, did then and there knowingly use and carry a short-barreled shotgun more specifically described as a 12 gauge Mossberg Model 500A pump action shotgun bearing serial number J507689 with a barrel length of less than 18 inches, during and in relation to the commission of a crime of violence, namely: robbery of a motor vehicle, in violation of Title 18, United States Code, Section 2119 as alleged in Count 1 of this Indictment, and for which the Defendants may be prosecuted in a court of the United States in violation of Title 18, United States Code, Sections 924(c)(1) and 2.

A TRUE BILL


FOREMAN OF THE GRAND JURY

12-3-96
Date

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